

DOCKET NO.: 364433-000008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:	Confirmation No.:	4405
Steve ANINYE	Art Unit:	2617
Serial No.: 10/591,830	Examiner:	S. CHUGHTAI
Filing Date:	September 6, 2006	
Title:	SYSTEM AND METHOD FOR TRACKING, MONITORING, COLLECTING, REPORTING AND COMMUNICATING WITH THE MOVEMENT OF INDIVIDUALS	

PETITION UNDER 37 C.F.R. § 1.47(a)

MAIL STOP PETITION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

August 25, 2009

Sir:

This Petition is submitted under 37 C.F.R. § 1.47(a) for the above-identified application. This Petition is submitted because a joint inventor refuses to join in the above-identified application for patent.

This Petition is being made by inventor Yoganand RAJALA, under 37 CFR 1.47(a), on behalf of himself and inventor Steve ANINYE, who refuses to sign the corrected Declaration. The granting of this Petition is necessary in order to preserve the rights of Applicants.

PERTINENT FACTS

The above-identified application was originally filed on behalf of named inventor Steve ANINYE. During the prosecution of this application, it came to the attention of the undersigned that Yoganand RAJALA was not but, should have been, listed as a named inventor. Yoganand

RAJALA executed the necessary papers in order to Petition the Office to accept a correction of inventorship under 37 CFR 1.48(a). However, as will be explained in more detail below, inventor Steve ANINYE refuses to execute the Declaration and Power of Attorney for the above-mentioned application. Therefore, Yogaland RAJALA has executed the Declaration and Power of Attorney for himself and on behalf of Steve ANINYE.

The Declaration and Power of Attorney signed by Yogaland RAJALA therefore meets the requirements of the oath or declaration under MPEP §409.03(a) to support the present Petition. A Copy of the executed Declaration and Power of Attorney is filed herewith.

This Petition is being filed "after diligent effort" to identify the address and obtain signature on the Declaration of inventor Steve ANINYE. The last known address of Steve ANINYE is 305 E. Smoketree Ter, Alpharetta, Georgia 30005. Per the attached Declaration of Dale S. Lazar, Dale S. Lazar sent a copy of the application as filed, Amendment filed June 19, 2009 and Declaration and Power of Attorney documents by Certified Mail to the last known address of Steve ANINYE. It is clear from the Declaration of Dale S. Lazar that Steve ANINYE refuses to sign the declaration.

SUPPORT FOR PETITION

In support for this petition, the following documents are submitted herewith.

1. One Declaration and Power of Attorney form for Patent Application No. 10/591,830 executed by inventor Yogaland RAJALA for himself and on behalf of Steve ANINYE;
2. The Declaration of Dale S. Lazar under 37 CFR 1.47(a) setting forth the pertinent facts supporting diligent efforts to identify the address and obtain the signature of the unavailable inventor; attached to the Declaration of Dale S. Lazar is relevant documentation regarding diligent efforts to locate and obtain the signature of the non-signing inventor; the Declaration of Dale S. Lazar also sets forth facts

supporting the necessity of granting this Petition, in order to preserve the rights of the parties or prevent irreparable damage;

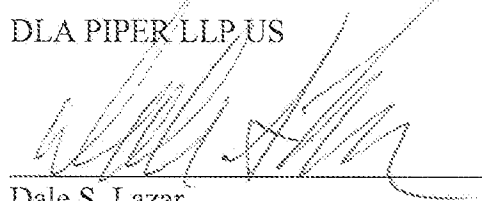
3. The requisite fee for this Petition; and
4. The last known address for the inventors, as set forth above in this Petition.

This Petition and the attached documentation clearly demonstrates that diligent efforts have been made to identify the address, and contact and obtain the signature of the unavailable inventor, and that he refuses to sign the Declaration forwarded to him, and further that grant of this Petition is necessary in order to preserve the rights of the parties or prevent irreparable damage.

Favorable action on this Petition is earnestly requested.

Respectfully submitted,

DLA PIPER LLP US



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